THE HON'BLE Ms. JUSTICE G. ROHINI

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WRIT PETITION No.88 OF 2006

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ORAL ORDER:

This writ petition is filed seeking a declaration that the alleged inaction on the part of the respondents in conducting investigation and apprehending the accused in Cr.No.86/05 on the file of the Station House Officer, Yelamanchili Police Station, as arbitrary, illegal and contrary to Rule 7 of the Andhra Pradesh Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Rules, 1995.

The petitioner states that she belongs to SC community and she made a complaint to the Station House Officer, III Town P.S. Visakhapatnam against her husband and others for an offence under Section 498-A of the Indian Penal Code. It is alleged that the respondents have failed to take any action on her complaint. Hence this writ petition.

In response to the *Rule nisi* ordered, the Sub-Inspector of Police Yelamanchili P.S. filed counter-affidavit stating that on the basis of the complaint lodged by the petitioner on 30.11.2005, a case in Crime No.86/2005 under Sections 3(1)(x) of Andhra Pradesh SC & ST (Prevention of Atrocities) Act, 1989, Sections 447, 354, 506(2) read with Section 34, IPC has been registered against one Geddada Venakteswara Rao and six others on the same day and investigated into. It is further stated that pursuant to the registration of the crime, eight witnesses were examined and their statements were recorded. During the course of investigation, A1 to A3 were arrested on 3.02.2006 and they were sent for remand. However, subsequently, they were enlarged on bail on 14.2.2006. It is further stated that though initially First Information Report was registered against seven persons, evidence was available only against three persons; therefore, the Investigating Officer deleted the names of A4 to A7 from the FIR and the charge sheet was sent for approval on 22.02.2006. It is stated further that as soon as approval is received, charge sheet will be filed before the competent Court.

In view of what has been stated in the counter-affidavit, it is clear that as on

today investigation has been completed. In the circumstances, I am of the view that no further enquiry is necessary in this writ petition. Accordingly, the writ petition is disposed of with a direction to the respondents to file charge sheet in the competent Court expeditiously. It is made clear that if the petitioner is aggrieved, it is open to her to challenge the report so far as A4 to A7 are concerned, following due process of law.

The writ petition is accordingly disposed of. No costs.

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(G. ROHINI, J.)

2nd March, 2006.

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THE HON'BLE Ms. JUSTICE G. ROHINI

WRIT PETITION No.88 OF 2006

2nd March, 2006.

Between:

Geddada Laxmi Ramana. ..Petitioner.

And

The Superintendent of Police,

Eluru, W.G.District and two others. ..Respondents.